



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chair

NOTICE OF SUSPENSION

March 28, 2024

**TRIPLE F PUB INC. D/B/A THE PUB
682-686 BROADWAY
SOMERVILLE, MA 02155
LICENSE#: 00015-RS-1130
VIOLATION DATE: 4/11/2023
HEARD: 9/26/2023**

After a hearing on September 26, 2023, the Commission finds Triple F Pub Inc. d/b/a The Pub violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (11 Counts). The Commission **suspends the license for a period of five (5) days to be served.**

The suspension shall commence on Monday, May 13, 2024, and terminate on Friday, May 17, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, May 13, 2024, at 9:00 A.M. It will be returned to the licensee on May 18, 2024.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

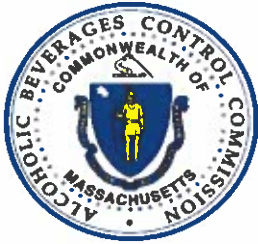
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
Dokiman sa a enpòtan epi li ta dwe tradwi touswit
'Đây là tài liệu quan trọng và cần được dịch ngay'
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
John David, Investigator
Christopher Temple, Investigator
Administration, File



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chair

DECISION

**TRIPLE F PUB INC. D/B/A THE PUB
682-686 BROADWAY
SOMERVILLE, MA 02155
LICENSE#: 00015-RS-1130
VIOLATION DATE: 4/11/2023
HEARD: 9/26/2023**

Triple F Pub Inc. d/b/a The Pub ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, September 26, 2023, regarding alleged violations of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (11 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator David's report.

The following documents are in evidence:

1. Investigator David's Report;
2. ABCC Form 43 License, Transfer of License Approval, 9/22/2008;
3. Photographs of Fraudulent Driver's Licenses Confiscated;
4. Licensee's Stipulation of Facts.

There is one (1) audio recording of this hearing.

FINDINGS OF FACT

1. On Tuesday April 11, 2023, at approximately 10:15 p.m., Investigators Temple and David ("Investigators"), inspected Triple F Pub Inc. d/b/a The Pub ("Licensee") to determine the way its business was being conducted.
2. Investigators entered the licensed premises and observed a table, in the back left area of the establishment, with four youthful appearing individuals in possession of what appeared to be alcoholic beverages. Investigators approached, identified themselves and requested proof of legal age to possess alcoholic beverages.

3. Underage #1, actual date of birth 11/17/2003 (age 19), was in possession of a cranberry vodka mixed drink. She presented to Investigators a fraudulent Maine driver's license bearing her name but a different birth date.
4. Underage #2, actual date of birth 2/20/2004 (age 19), was in possession of a cranberry vodka mixed drink. She presented to Investigators a fraudulent Tennessee driver's license bearing her name but a different birth date.
5. Underage #3, actual date of birth 8/06/2003 (age 19), was in possession of a Fiddlehead beer. He informed Investigators that he was not asked for any identification when he entered the premises.
6. Underage #4, actual date of birth 6/06/2004 (age 18), was in possession of a Fiddlehead beer. He informed Investigators that he was not asked for any identification when he entered the premises.
7. Investigators observed a table with five youthful appearing individuals in possession of what appeared to be alcoholic beverages. Investigators approached, identified themselves and requested proof of legal age to possess alcoholic beverages.
8. Underage #5, actual date of birth 9/2/2003 (age 19), was in possession of a Bud Light draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his name but a different birth date.
9. Underage #6, actual date of birth 9/12/2003 (age 19) was in possession of a Bud Light draft beer. He presented to Investigators a fraudulent Delaware driver's license bearing his name but a different birth date.
10. Underage #7, actual date of birth 3/29/2004 (age 19), was in possession of a Bud Light draft beer. He presented to Investigators a fraudulent Pennsylvania driver's license bearing his name but a different birth date.
11. Underage #8, actual date of birth 10/27/2003 (age 19), was in possession of a Bud Light draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his name but a different birth date.
12. Underage #9, actual date of birth 11/20/2003 (age 19), was in possession of a Bud Light draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his name but a different birth date.
13. Investigators observed two individuals exiting the premises who were still in possession of alcoholic beverages. Investigators identified themselves and requested proof of legal age.
14. Underage #10, actual date of birth 2/07/2004 (age 19), was in possession of a Sam Adams beer. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
15. Underage #11, actual date of birth 10/15/2003 (age 19), was in possession of a Sam Adams beer. He presented to Investigators a fraudulent Georgia driver's license bearing his name but a different birth date.

16. Investigators identified the underage individuals to the staff and the bartender and showed them the fraudulent identifications which had been confiscated.
17. Investigators informed the bartender of the violations and that a report would be filed with the Chief Investigator for further action.
18. Francis Healy, Licensee, appeared at the Commission hearing and testified regarding his efforts to prevent minors from obtaining alcohol. He stated there are 3 employees posted at the door and they are instructed to request identification from all patrons. Mr. Healy stated all identifications are now scanned. He acknowledged his establishment is near a college and instituted a policy wherein any patron presenting an out-of-state identification must produce a backup identification, such as a credit card, or they will not be served. He added that a school identification is not accepted as back-up.
19. The Licensee has held a license under M.G.L. c. 138, § 12 since 2008, approximately 15 years, with no prior violations.

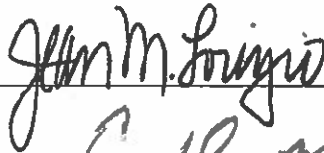
CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (11 Counts).


Therefore, the Commission **suspends the license for a period of 15 days of which five (5) days will be served and ten (10) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman _____



Crystal Matthews, Commissioner _____



Deborah Baglio, Commissioner _____



Dated: March 28, 2024

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
Dokiman sa a enpòtan epi li ta dwe tradwi touswit
'Đây là tài liệu quan trọng và cần được dịch ngay'
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2023-000169-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
John David, Investigator
Christopher Temple, Investigator
Administration, File